

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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HUMBERTO AMEZCUA, *et al.*,

Plaintiffs,

v.

JORDAN TRANSPORT, INC., *et al.*,

Defendants.

Case No. 2:13-cv-01608-APG-CWH

**ORDER DENYING MOTIONS FOR
RE-TAXATION OF COSTS**

(ECF Nos. 47, 61)

I previously granted summary judgment in favor of defendants FedEx Custom Critical, Inc.; Jordan Transport, Inc.; and Lou Anne Boon. ECF No. 42. I denied Gerard Boon's summary judgment motion. *Id.* I did not enter final judgment in favor of any defendant under Federal Rule of Civil Procedure 54(b). Because final judgment has not been entered, the defendants' bill of costs (ECF No. 44) is premature.¹ *See* LR 54-1(a) (stating a bill of costs is due 14 days after entry of judgment). I therefore deny the parties' respective motions to re-tax costs without prejudice to renew after final judgment is entered, a bill of costs is timely filed, and the clerk of court has taxed costs.

IT IS THEREFORE ORDERED that the plaintiffs' motion to re-tax costs and to stay execution (**ECF No. 47**) and the defendants' motion to re-tax costs (**ECF No. 61**) are **DENIED**.

DATED this 27th day of May, 2016.



ANDREW P. GORDON
UNITED STATES DISTRICT JUDGE

¹ The defendants' assertion that costs are awarded following summary judgment is an incomplete analysis. In both of the cases cited in support, summary judgment was granted and judgment was entered before a bill of costs was filed. *See Schwartz v. Clark County*, 2:13-cv-00709-JCM-VCF, ECF No. 43 (granting summary judgment) & 44 (clerk's judgment); *Vitale & Assocs., LLC v. Lowden*, 2:12-cv-01400-JAD-VCF, ECF No. 107 (granting summary judgment) & 108 (clerk's judgment). Here, I have granted summary judgment in favor of some, but not all, of the defendants. No final judgment has been entered with respect to any defendant and therefore the bill of costs is premature, as are the motions to re-tax costs.